

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CAROL S. MARCELLIN, individually, and as Co-Administrator of the Estate of Charles E. Hollowell, deceased, and JESSICA HOLLOWELL-McKAY, as Co-Administrator of the Estate of Charles E. Hollowell, deceased,

Plaintiffs,

v.

HP, INC., and STAPLES, INC.,

Defendants.

NOTICE OF CROSS MOTION

Civ. No. 1:21-cv-00704-JLS-HKS

MOTION BY:

Plaintiffs, Carol S. Marcellin and Jessica Hollowell, through their attorneys Faraci Lange, LLP.

DATE, TIME AND PLACE OF HEARING:

At a date and time to be determined by the Court.

SUPPORTING PAPERS:

- 1) Declaration of Stephen G. Schwarz, Esq. sworn to on June 9, 2005, together with Exhibits A-Q;
- 2) Declaration of Jason Karasinski sworn on June 9, 2005;
- 3) Plaintiffs' Counter-Statement of Undisputed Material Facts;
- 4) Plaintiffs' Response to Defendants' Statement of Undisputed Material Facts; and
- 5) Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and in support of Plaintiffs' Cross-Motion for Partial Summary Judgment.

RELIEF DEMANDED:

Plaintiffs respectfully request an ORDER:

A. DENYING Defendants' Motion for Summary Judgment;

B. GRANTING Plaintiffs' Cross-Motion for Partial Summary Judgment on the issue of the cause of the fire;

C. For such other and further relief as to this Court seems just and proper.

REPLY PAPERS:

Plaintiffs intend to file and serve reply papers. The opposing parties are therefore required to file and serve opposing papers as directed by the Court.

DATED: June 9, 2025
Rochester, New York

FARACI LANGE, LLP

/s/ Stephen G. Schwarz
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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to all counsel of record on June 9, 2025.

/s/ Stephen G. Schwarz